

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1210

Introduced by Assembly Member Garrick

February 18, 2011

~~An act to amend Section 6731.1 of the Business and Professions Code, relating to engineers. An act to add Section 6730.4 to the Business and Professions Code, relating to water quality.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1210, as amended, Garrick. ~~Civil engineering.~~ *Water quality: stormwater discharge: civil engineering activities.*

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater by municipalities and industries in accordance with the federal national pollutant discharge elimination system (NPDES) permit program.

Existing law, the Professional Engineers Act, requires all civil engineering plans, calculations, specifications, and reports to be prepared by, or under the responsible charge of, a licensed civil engineer. A violation of the act is a crime.

This bill would require all civil engineering activities performed in the preparation, submission, execution, and enforcement of stormwater pollution prevention plans pursuant to a specified general permit for stormwater discharges to be prepared and performed under the responsible charge of a licensed civil engineer.

Because a violation of these provisions would be a crime under the Professional Engineers Act, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law establishes the Board for Professional Engineers and Land Surveyors in the Department of Consumer Affairs. Existing law recognizes various engineering disciplines. Existing law provides that civil engineering embraces certain studies or activities in connection with specified fixed works and also includes specified practices.~~

~~This bill would make nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6730.4 is added to the Business and
- 2 Professions Code, to read:
- 3 6730.4. Notwithstanding any other law, all civil engineering
- 4 activities performed in the preparation, submission, execution,
- 5 and enforcement of stormwater pollution prevention plans pursuant
- 6 to the General Permit for Storm Water Discharges Associated with
- 7 Construction and Land Disturbance Activities (Order No.
- 8 2009-0009-DWQ of the State Water Resources Control Board),
- 9 and all amendments to that order, shall be prepared and performed
- 10 under the responsible charge of a licensed civil engineer.
- 11 SEC. 2. No reimbursement is required by this act pursuant to
- 12 Section 6 of Article XIII B of the California Constitution because
- 13 the only costs that may be incurred by a local agency or school
- 14 district will be incurred because this act creates a new crime or
- 15 infraction, eliminates a crime or infraction, or changes the penalty
- 16 for a crime or infraction, within the meaning of Section 17556 of
- 17 the Government Code, or changes the definition of a crime within
- 18 the meaning of Section 6 of Article XIII B of the California
- 19 Constitution.
- 20 ~~SECTION 1. Section 6731.1 of the Business and Professions~~
- 21 ~~Code is amended to read:~~

1 ~~6731.1. Civil engineering also includes the practice of or offer~~
2 ~~to practice, either in a public or private capacity, all of the~~
3 ~~following:~~

4 ~~(a) Locating, relocating, establishing, reestablishing, or retracing~~
5 ~~the alignment or elevation for any of the fixed works embraced~~
6 ~~within the practice of civil engineering, as described in Section~~
7 ~~6731.~~

8 ~~(b) Determining the configuration or contour of the earth's~~
9 ~~surface or the position of fixed objects above, on, or below the~~
10 ~~surface of the earth by applying the principles of trigonometry or~~
11 ~~photogrammetry.~~

12 ~~(c) Creating, preparing, or modifying electronic or computerized~~
13 ~~data in the performance of the activities described in subdivisions~~
14 ~~(a) and (b).~~

15 ~~(d) Rendering a statement regarding the accuracy of maps or~~
16 ~~measured survey data pursuant to subdivisions (a), (b), and (c).~~